

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

REVA S. BRAMAN,

Plaintiff,

v.

**ROBERT W. BUTLER,
and BROWN & CROUPPEN,**

Defendants.

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Civil No. **05-541-DRH**

ORDER

PROUD, Magistrate Judge:

Before the Court is Defendant Robert W. Butler's Motion for Rule 35 Exam. (**Doc. 17**).

Defendant seeks an examination pursuant to **Fed.R.Civ.P. 35**. Defendant proposes to have plaintiff examined by Dr. Robert Fucetola, PhD, ABPP,. Plaintiff has not filed any response in opposition to the motion, and the time for doing so has now expired.

Plaintiff alleges that she has suffered a brain injury with resulting loss of cognitive ability and memory loss. The Court finds that plaintiff has put her mental and physical condition in issue. Dr. Fucetola's proposed examination will consist of of an interview, review of medical, psychological and psychiatric records, and psychological and neuropsychological testing including the MMPI. As plaintiff does not raise any issue with regard to the scope of the proposed examination or the suitability of the proposed examiner, the Court presumes that both are appropriate.

Upon consideration and for good cause shown, Defendant Robert W. Butler's Motion for Rule 35 Exam (**Doc. 17**) is **GRANTED**.

Plaintiff is ordered to appear for examination by Dr. Robert Fucetola, at the time and place specified in defendant's motion, or at some other mutually agreed upon time.

Defendant is ordered to reimburse plaintiff for her reasonable expenses incurred in appearing for the examination, and to forward to plaintiff's counsel a copy of Dr. Fucetola's report.

IT IS SO ORDERED.

DATE: May 9, 2006.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE